

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Thirteenth Judicial District Court, County of Yellowstone

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-15-1209
-vs-	)	
	)	DECISION
KAREN FRANCIS MEDICINE HORSE,	)	
	)	
Defendant.	)	

On July 6, 2018, the District Court revoked Defendant's suspended sentence for Count I: Criminal Possession of Dangerous Drugs. The Court resented Defendant to the Department of Corrections for four years and 290 days, to run concurrently with DC 14-1012. Defendant was given credit for elapsed time while not incarcerated from December 8, 2016 through February 24, 2017. Defendant received credit for detention time from June 14, 2018 through July 6, 2018.

On October 5, 2018, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant was present from Passages and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

Done in open Court this 5<sup>th</sup> day of October, 2018.

DATED this 19 day of OCTOBER, 2018.

SENTENCE REVIEW DIVISION

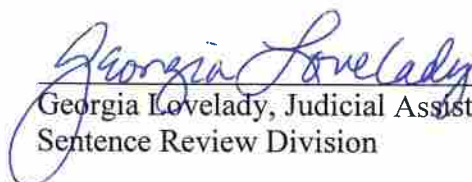
  
Hon. Kathy Seeley, Chairperson

  
Hon. Brenda Gilbert, Member

  
Hon. Dan Wilson, Member

Copies mailed this 7<sup>th</sup> day  
of November, 2018, to:

Clerk of District Court (Original)  
Karen Francis Medicine Horse #3016545, Defendant (2)  
Hon. Donald Harris  
Brent Getty, Defense Counsel  
Paul Chaon, Esq.  
Board of Pardons and Parole  
MWP - Records Dept.

  
Georgia Lovelady, Judicial Assistant  
Sentence Review Division